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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/905,132

07/13/2001

Kishore Karighattam

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3860

7590

02/08/2005

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EXAMINER

LEE, ANDREW CHUNG CHEUNG


ART UNIT

PAPER NUMBER

2664

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/905,132	KARIGHATTAM ET AL. 	
	<b>Examiner</b>	<b>Art Unit</b>	
	Andrew C Lee	2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Fig. 4, the element 408 "PM\_RXFCSGEN". Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The disclosure is objected to because of the following informalities:
- The specification should be line-numbering for each page.
  - Page 6, line 16, The element "PM\_RXFCSGE" is a typo. It should be corrected as "PM\_RXFCSGEN" according to Fig 4.

- The Office would request the Applicant to provide clarification on Fig. 4, the output signal from the element 408 "PM\_RXFSCGEN".

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Acharya (U.S. Patent No. 6781989 B1) in view of Szczepanek (U.S. Patent No. 6414956 B1).

Regarding claims 1, 5, 9, Acharya discloses the limitation of a method for supporting frame priority in a home phone line network (Fig. 2, column 1, lines 16 – 19), comprising the steps of: (a) detecting a limited automatic repeat request (LARQ) header in a frame with a priority tag (column 5, lines 28 – 31); (b) stripping the LARQ header and a frame check sequence (FCS) in the frame with the priority tag (column 5, lines 35 – 36); (c) recalculating the FCS for the stripped frame with the priority tag (column 5, lines 36 – 38); and Acharya does not disclose expressly (d) adding the recalculated

FCS to the stripped frame with the priority tag. Szczepanek discloses the limitation of (d) adding the recalculated FCS to the stripped frame with the priority tag (column 5, lines 27 – 30). It would have been obvious to modify Acharya to include an adding the recalculated FCS to the stripped frame with the priority tag such as that taught by Szczepanek in order to provide an improved switching device operating in a shared media environment.

Regarding claims 2, 6, 10, Acharya discloses the limitation of a method for supporting frame priority in a home phone line network (Fig. 2, column 1, lines 16 – 19), Acharya does not disclose expressly the method of claimed, wherein the stripping step (b) further comprises: (b1) placing information in the LARQ header in a frame status frame which will follow the stripped frame with the priority tag. Szczepanek discloses the limitation of the method of claimed wherein the stripping step (b) further comprises: (b1) placing information in the LARQ header in a frame status frame which will follow the stripped frame with the priority tag (column 5, lines 5 – 12). It would have been obvious to modify Acharya to include the method of claimed wherein the stripping step (b) further comprises: (b1) placing information in the LARQ header in a frame status frame which will follow the stripped frame with the priority tag such as that taught by Szczepanek in order to provide an improved switching device operating in a shared media environment.

Regarding claims 3, 7, 11, Acharya discloses the limitation of the method of claimed, further comprising: (e) sending the stripped frame with the priority tag and the

recalculated FCS to an Ethernet controller (column 6, lines 13 – 14, element 514).

Regarding claim 4, Acharya discloses the limitation of a method for supporting frame priority in a home phone line network (Fig. 2, column 1, lines 16 – 19), Acharya does not disclose expressly the method of claimed, further comprising: (f) sending the stripped frame with the priority tag and the recalculated FCS to an appropriate priority queue according to the priority tag. Szczepanek discloses the limitation of the method of claim 3, further comprising: (f) sending the stripped frame with the priority tag and the recalculated FCS to an appropriate priority queue according to the priority tag (Fig.2, column 5, lines 27 – 30). It would have been obvious to modify Acharya to include the method of claimed, further comprising: (f) sending the stripped frame with the priority tag and the recalculated FCS to an appropriate priority queue according to the priority tag such as that taught by Szczepanek in order to provide an improved switching device operating in a shared media environment.

Regarding claims 8, 12, Acharya discloses the limitation of a controller of claimed wherein an asserted fourth signal to the third logic block enables the recalculation of the FCS (column 8, lines 29 – 34).

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571) 272-

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3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**Ajit Patel**  
**Primary Examiner**

ACL

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03 Feb 2005